



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, June 7, 2011

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

1. CALL TO ORDER

Mayor Pro Tem Gottel called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

2. EXECUTIVE SESSION (5:30 P.M.)

- 2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation) to consult with the City Attorney regarding litigation; Comfort Suites. (5 minutes)
- 2B. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation) and §551.087 (Economic Development) to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (20 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 5:53 p.m.

3. WORK SESSION ITEMS (5:55 P.M.)

3A. Update on Progress of City's FY 2011 Workplan. (60 minutes)

City Manager gave a presentation to Council regarding the successes noted in the City's FY 2011 Workplan.

Members of Council thanked staff for their accomplishments and commitment to a job well done.

3B. Discussion of the Code of Ordinances pertaining to Section 22-124 of Article III ("Fence Repair") of Chapter 22 ("Environment"). (15 minutes)

Staff gave a presentation regarding this item. Spoke regarding the modifications to the existing ordinance.

A member of Council questioned staff regarding the leaning requirements.

Staff stated Code Enforcement officers will be trained.

Following this item, the Council attended the reception for the re-elected Councilmembers.

3C. Presentation and discussion on the Cross Connection Control Letter and Survey that the Water Quality Division mailed out to all homeowners and businesses the first of March, 2011. (15 minutes)

Reconvened into the Work Session at 8:25 p.m.

Staff gave a brief history regarding this item. Stated Texas Commission on Environmental Quality requires backflow assemblies on all residential and commercial properties to ensure safety. The backflow assemblies prevent the infiltration of chemicals or other types of contaminants from entering our drinking water.

Staff stated there is a balance between protecting our water source and protecting the public. With this, staff asked for additional time to work through this process and to bring this discussion back once the new Public Works Director has had an opportunity to review this item.

A member of Council voiced concern regarding the City inspecting residential customers solely on the basis of sprinkler systems.

Another member of Council voiced concerning regarding the interpretation, the implementation and the enforcement of the program.

4. DISCUSS CONSENT AGENDA ITEMS

Items 7D and 7F were removed from the Consent Agenda to be considered individually.

RECEPTION FOR THE RE-ELECTED COUNCILMEMBERS (7:00 - 7:30)

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the regular meeting at 7:30 p.m.

INVOCATION

The invocation was led by Senior Associate Pastor Clay Womack, First United Methodist Church of Garland.

POSTING OF COLORS

The Posting of the Colors was presented by the Rowlett Fire Rescue Honor Guard and the Police Department Honor Guard.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Rowlett Fire Rescue Honor Guard and the Police Department Honor Guard.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by the Rowlett Fire Rescue Honor Guard and the Police Department Honor Guard.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Administration of Oaths of Office and personal remarks from City Councilmembers, Places One and Five.

Councilmember Phillips was administered his Oath of Office by his pastor, Reverend Clay Womack. Councilmember Phillips thanked the citizens for their support and stated he looked forward to serving the community for another three years.

Councilmember Kilgore was administered his Oath of Office by Associate Judge Pam Liston. Councilmember Kilgore stated he was honored by the support of the citizens and is pleased to serve the community again.

- 5B.** Presentation of proclamations recognizing the 2011 Rowlett Arts and Humanities Commission Writing Contest winners.

Councilmember Davis and Arts and Humanities Commission member Mary Drayer presented each winner a proclamation and a prize check.

- 5C.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the June 13th Realize Rowlett 2020 Community Meeting to be held at the William Faith Community Church; the survey for My Community, My Money, My Choice has been closed; the 7th Annual Bike and Safety Fair, the Memorial Day Celebration featuring Touch-A-Truck and the Kenwood Heights Neighborhood Appreciation Picnic were successful; Early Voting for the June 18th Run-off Election is currently going on; June 18th is the Run-off Election Day; low-cost vaccination clinics will be held at the Animal Shelter on June 11th and June 18th; the Wet Zone waterpark is now open; the City of Garland Transfer Station is closed for repairs, residents can use the City of Garland Hinton Landfill; the Library's Summer Reading Program is currently registering readers; the June 15th DART Community Meeting will be held at the City Hall Council Chambers to discuss the Rowlett Road Closure; the July 3rd Fireworks on Main Celebration will be held in Downtown Rowlett; the last day to register to vote for the July 16th Special Election is June 16th; the Rowlett Road Phase II Meeting will be held at the Community Centre on July 20th; and the 2nd Annual Boards and Commissions Volunteer Fair will occur on July 28th at the Community Centre.

6. CITIZENS' INPUT

1. Fred Witzell, 7609 Coral Way, Rowlett – Congratulated the re-elected Councilmembers and complimented the Council on their efforts.

7. CONSENT AGENDA

Items 7D and 7F were removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

- 7A. Consider approving minutes from the May 17, 2011 City Council Regular Meeting and the May 23, 2011 City Council Special Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider a resolution approving an amenity plan and associated landscape plan for the Waterford Estates Subdivision. The subject property is located on the north side of Miller Road approximately 1,697 feet east of Kirby Road.

This item was approved as RES-069-11 on the Consent Agenda.

- 7C. Consider a resolution ratifying the termination of ambulance billing services with Southwest General Services of Dallas, LLC and authorizing the agreement with Advanced Data Processing, Incorporated (D/B/A ADPI-Intermedix) for EMS billing services and electronic patient care reporting for the City of Rowlett through the Interlocal agreement with the City of North Richland Hills.

This item was approved as RES-070-11 on the Consent Agenda.

- 7D. Consider an ordinance approving a negotiated resolution between the Steering Committee of Cities Served by Oncor (Steering Committee) and Oncor Electric Delivery Company LLC (Oncor or the Company) regarding the company's application to increase electric rates in the City; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the new tariffs to be just and reasonable.

This item was removed from the Consent Agenda to be considered individually.

City Secretary read the item into the record.

Staff gave a brief presentation on this item. Stated this negotiation reduced the asking rate by Oncor.

A motion was made by Councilmember Kilgore, seconded by Councilmember Phillips, to approve the item as read. This item was adopted as ORD-012-11. The motion carried by the following vote:

Ayes: 6 – Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

- 7E. Consider a resolution entering into an Interlocal Agreement with the Town of Little Elm for cooperative purchasing of goods, materials and services.

This item was approved as RES-071-11 on the Consent Agenda.

- 7F. Consider a resolution awarding a bid to PMAM for alarm management services for the Police Department through the Interlocal Agreement with the Town of Little Elm and authorizing the City Manager to execute the necessary documents for said services.

This item was removed from the Consent Agenda to be considered individually.

City Secretary read the item into the record.

Staff gave a brief presentation regarding this item. Stated this agreement will increase the rate of retainage of fees for the City.

City Attorney stated the cure period in the agreement will need to be adjusted.

A motion was made by Councilmember Kilgore, seconded by Councilmember Phillips, to approve the item as read with the following exception: the understanding that the contract approved will be amended to provide for a ninety day cure period instead of a thirty day cure period. This item was adopted as RES-072-11. The motion carried by the following vote:

Ayes: 6 – Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

- 7G. Consider a resolution authorizing condemnation proceedings for property described as 1.598 acres situated in the M. J. Riley Survey, Abstract Number 1263, Dallas County, Texas (Parcel 5).

This item was approved as RES-073-11 on the Consent Agenda.

- 7H. Consider a resolution authorizing the sale of the retired surplus 1993 E-One Cyclone Hush fire truck VIN #4ENBAAA83P1002216 as provided in Exhibit A to Navarro College for the sum of five thousand dollars (\$5,000).

This item was approved as RES-074-11 on the Consent Agenda.

71. Consider a resolution awarding the bid for the Coyle House repairs, abatement, and painting to PLAN B DSGN, LLC in the amount of fifty-eight thousand six hundred eighty-nine dollars and fifty-five cents (\$58,689.55) and authorizing the Mayor to execute the Standard Public Works Construction contract for said service.

This item was approved as RES-075-11 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Phillips, seconded by Deputy Mayor Pro Tem Jackson, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 6 – Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Jackson, Councilmember Phillips, Councilmember Davis, Councilmember Kilgore and Councilmember Gallops

8. ITEMS FOR INDIVIDUAL CONSIDERATION

There were no Individual Consideration items to consider.

The City Council reconvened into the Work Session at 8:23 p.m. to continue with Item 3C.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No actions followed the Executive Session items.

9. ADJOURNMENT

Mayor Pro Tem Gottel adjourned the meeting at 8:36 p.m.



Todd Gottel, Mayor Pro Tem



Susie Quinn, City Secretary

Date Approved: June 21, 2011